

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

MAY - 2 2006

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

CR. NO. 3:05cr234-WHA

v.)

[18 USC 371;
18 USC 2;
18 USC 1951(a);
18 USC 1512(b)(3);
18 USC 1512(c)(1)]

TYRONE WHITE, and
ADAM FLOYD)

SUPERSEDING INDICTMENT**The Grand Jury charges:****INTRODUCTION**

At all times relevant to this Indictment, TYRONE WHITE, was an appointed public official in Auburn, Alabama, namely, a police officer for the City of Auburn, Alabama:

COUNT 1

1. From an unknown date, but during about March 2003, up to and including about January 2005, the exact dates being unknown to the grand jury, in Lee County, and elsewhere within the Middle District of Alabama, the defendants,

TYRONE WHITE, and
ADAM FLOYD,

knowingly and willfully conspired and agreed together and with each other, and with other persons both known and unknown to the grand jury, to commit an offense against the United States, namely, affecting and attempting to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in violation of Title 18, United States Code, Section 371.

2. It was part of the conspiracy that the defendants would affect and attempt to affect

interstate commerce, and the movement of articles and commodities in interstate commerce, by unlawfully obtaining United States currency which was not due to TYRONE WHITE or his office. The defendants obtained this currency by extortion, from individuals with pending City of Auburn Municipal Court cases, and did so with the consent of the individuals with the pending cases by wrongfully using, and threatening to use, fear and under color of official right which TYRONE WHITE possessed as a police officer with the Auburn, Alabama, Police Department. The defendants demanded, accepted, and facilitated the payment of, money from the individuals with the pending cases, in exchange for treating those individuals favorably in connection with their pending City of Auburn Municipal Court cases, in violation of Title 18, United States Code, Section 1951(a).

3. It was further part of the conspiracy that ADAM FLOYD would contact individuals that he knew to have pending City of Auburn Municipal Court cases, or those individuals would contact ADAM FLOYD. After contact was made, ADAM FLOYD would demand a certain amount of United States currency in exchange for favorable treatment in the pending cases.

4. In furtherance of the conspiracy, and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Middle District of Alabama:

- a. ADAM FLOYD contacted individuals he knew to have pending City of Auburn Municipal Court cases;
- b. ADAM FLOYD was contacted by other individuals who had pending City of Auburn Municipal Court cases;
- c. ADAM FLOYD demanded money in exchange for "fixing" the pending Municipal Court cases;
- d. ADAM FLOYD accepted money from the individuals in exchange for "fixing"

the pending cases;

e. ADAM FLOYD contacted TYRONE WHITE, who, in turn, accepted a portion of the money which had been collected by ADAM FLOYD;

f. TYRONE WHITE, through connections within the Auburn Police Department or the City of Auburn Municipal Court, had the pending charges dismissed, reduced, or had the sentences which would have been imposed for the pending charges, reduced in some manner.

COUNT 2

From an unknown date, but in or about August 2003, the exact date being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendants,

TYRONE WHITE, and
ADAM FLOYD,

while aiding and abetting one another, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due TYRONE WHITE or his office, from D.C., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendants demanded and accepted money from D.C. in exchange for treating D.C. favorably in connection with a potential City of Auburn Municipal Court case, in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT 3

From an unknown date, but in or about November 2003, the exact date being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendants,

TYRONE WHITE, and
ADAM FLOYD,

while aiding and abetting one another, did knowingly, willfully, and unlawfully affect and attempt

to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due TYRONE WHITE or his office, from S.F., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from S.F. in exchange for treating S.F. favorably in connection with a potential City of Auburn Municipal Court case, in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT 4

From an unknown date, but in or about 2004, the exact date being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendants,

TYRONE WHITE, and
ADAM FLOYD,

while aiding and abetting one another, did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due TYRONE WHITE or his office, from R.C., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from R.C. in exchange for treating R.C. favorably in connection with a potential City of Auburn Municipal Court case, in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT 5

From an unknown date, but in or about 2004, the exact date being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendants,

TYRONE WHITE, and
ADAM FLOYD,

while aiding and abetting one another, did knowingly, willfully, and unlawfully affect and attempt

to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due TYRONE WHITE or his office, from J.M., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from J.M. in exchange for treating J.M. favorably in connection with a potential City of Auburn Municipal Court case, in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT 6

From an unknown date, but in or about August, 2002, the exact date being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due him or his office, from M.C., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from M.C. in exchange for treating M.C. favorably in connection with a pending City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 7

From an unknown date, but beginning in or about 2004, the exact date being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant

unlawfully obtained United States currency, not due him or his office, from M.C., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from M.C. in exchange for treating M.C. favorably in connection with a potential City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 8

From an unknown date, but during about September 2004, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due him or his office, from D.T., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from D.T. in exchange for treating D.T. favorably in connection with a pending City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 9

From an unknown date, but during about February 2005, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due him or his office, from E.K., with his consent,

induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from E.K. in exchange for treating E.K. favorably in connection with a pending City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 10

From an unknown date, but beginning in or about April 2005, and occurring up to in or about May 2005, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due him or his office, from J.W., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from J.W. in exchange for treating J.W. favorably in connection with a pending City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 11

From an unknown date, but during about May 2005, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due him or his office, from J.W., with his consent,

induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded money from J.W. in exchange for treating J.W. favorably in connection with a pending City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 12

From an unknown date, but beginning in or about April 2005, and occurring up to in or about June 2005, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, the defendant,

TYRONE WHITE,

did knowingly, willfully, and unlawfully affect and attempt to affect interstate commerce and the movement of articles and commodities in interstate commerce by extortion, in that the defendant unlawfully obtained United States currency, not due him or his office, from P.S., with his consent, induced by wrongful use and threat of use of fear and under color of official right, specifically, the defendant demanded and accepted money from P.S. in exchange for treating P.S. favorably in connection with a pending City of Auburn Municipal Court case, in violation of Title 18, United States Code, Section 1951(a).

COUNT 13

From in or about April 2005, through in or about September 2005, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, and elsewhere, the defendant,

TYRONE WHITE,

did knowingly use intimidation, threaten, and corruptly persuade P.S., and attempted to do so, with intent to hinder, delay, and prevent the communication of information to a law enforcement officer

and judge of the United States relating to the commission and possible commission of a Federal offense, as described in Count 5 of this Indictment, in violation of Title 18, United States Code, Section 1512(b)(3).

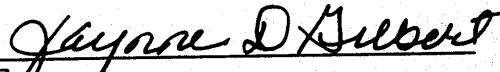
COUNT 14

From between in or about September 2005, and in or about December 2005, the exact dates being unknown to the grand jury, in Lee County, within the Middle District of Alabama, and elsewhere, the defendant,

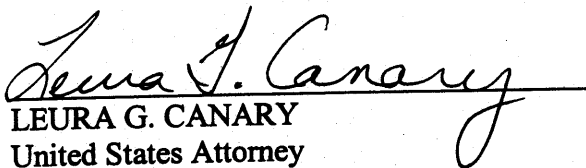
TYRONE WHITE,

did corruptly alter, destroy, and mutilate an object, namely, a recording, and attempted to do so, with intent to impair the object's integrity and availability for use in an official proceeding, in violation of Title 18, United States Code, Section 1512(c)(1).

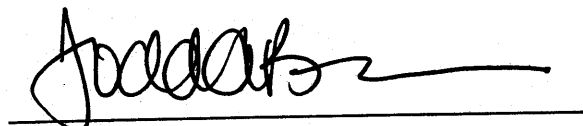
A TRUE BILL:



Foreperson



LEURA G. CANARY
United States Attorney



Todd A. Brown
Assistant United States Attorney